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Recommendations on standards for detention...

Washington

1945

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Recommendations on

STANDARDS FOR DETENTION *of* JUVENILES AND ADULTS

Compiled by—

THE NATIONAL ADVISORY POLICE COMMITTEE ON SOCIAL PROTECTION OF THE FEDERAL SECURITY AGENCY

Approved by—

THE NATIONAL SHERIFFS' ASSOCIATION

THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

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Box 719

"THE SUB-COMMITTEE ON DETENTION is indebted to its former members who assisted in preliminary drafts of this manual. We are also appreciative of the cooperation of the Bureau of Prisons of the United States Department of Justice, and the consultative services of members of the staff of the Social Protection Division.

"We believe that adoption of the standards of detention recommended in this manual depends largely upon two factors—enlightened public opinion based upon a knowledge of the problems, and ability and willingness of the law enforcement executive to execute the program when improved facilities and services are provided."

FERRIS E. LUCAS
Sheriff, St. Clair County, Port Huron, Mich.
Chairman, Sub-Committee on Detention.

MEMBERSHIP OF THE SUB-COMMITTEE ON DETENTION OF THE NATIONAL ADVISORY POLICE COMMITTEE

Sheriff FERRIS E. LUCAS, *Chairman*, St. Clair County, Port Huron, Mich.; President, National Sheriffs' Association.

Sheriff GUS G. ANDERSON, Weld County, Greeley, Colo.

Sheriff GUS CAPLE, Pulaski County, Little Rock, Ark.

JOHN M. GOLDSMITH, Radford, Va.

CHARLES J. HAHN, Jr., Executive Secretary, National Sheriffs' Association, Washington, D. C.

Chief FRED A. ROFF, Department of Police, Morristown, N. J.

Under-Sheriff WILLIAM C. RYAN, Wayne County, Detroit, Mich.

Sheriff WILLIAM F. SOUTER, Erie County, Sandusky, Ohio., Past President, National Sheriffs' Association.

Ex-Members

Former Sheriff N. R. HENDERSON, Kanawha County, Charleston, West Va.

Former Sheriff D. C. COLEMAN, Dade County, Miami, Fla.

Consultants

Deputy Sheriff ROBERT E. MOORE, Wayne County, Detroit, Mich.

CHARLES MILLER, Secretary, Michigan Sheriffs' Association, St. Joseph, Mich.

JAMES OWENS and THOMPSON FULTON, Social Protection Division.

A Manual for the Guidance of Communities and Their Responsible Officials in Providing Adequate and Humane Facilities for Adults and Juveniles Held in Temporary Detention.

Recommendations on

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of

JUVENILES AND ADULTS

Compiled by—

THE NATIONAL ADVISORY POLICE COMMITTEE OF THE FEDERAL SECURITY AGENCY

FEDERAL SECURITY AGENCY
OFFICE OF COMMUNITY WAR SERVICES
SOCIAL PROTECTION DIVISION

U. S. GOVERNMENT PRINTING OFFICE, WASHINGTON : 1945

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Sheriff FERRIS E. LUCAS, *Chairman*, St. Clair County, Port Huron, Mich.; President, National Sheriffs' Association.

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EXECUTIVE COMMITTEE
OF THE
NATIONAL ADVISORY POLICE COMMITTEE

DONALD S. LEONARD, *Chairman*, Captain, Michigan State Police; Past President, International Association of Chiefs of Police.

THOMAS DEVINE, Director, Social Protection Division, Washington, D. C.

HOMER W. GARRISON, JR., Director of Texas State Department of Public Safety, Austin, Texas.

CHARLES J. HAHN, JR., Executive Secretary, National Sheriffs' Association, Washington, D. C.

EDWARD J. KELLY, Superintendent, Rhode Island State Police; Executive Secretary, International Association of Chiefs of Police.

FERRIS E. LUCAS, Sheriff, St. Clair County, Port Huron, Mich.; President, National Sheriffs' Association.

MICHAEL F. MORRISSEY, Past President, International Association of Chiefs of Police, Indianapolis, Ind.

ELIOT NESS, Former Director of Public Safety, Cleveland, Ohio.

JOSEPH T. OWENS, Chief of Police, Rome, N. Y.; Past President, International Association of Chiefs of Police.

WILLIAM SOUTER, Sheriff, Erie County, Sandusky, Ohio; Past President, National Sheriffs' Association.

JOHN L. SULLIVAN, Chief of Police, Pittsfield, Mass.

REX SWEAT, Sheriff, Duval County, Jacksonville, Fla.; Past President, National Sheriffs' Association.

JOHN F. WOODS, Chief of Police, Norfolk, Va.

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INTRODUCTION

In June 1942, Federal Security Administrator Paul V. McNutt appointed the National Advisory Police Committee to advise him on the law enforcement aspects of the Social Protection program. The Committee has consistently attempted to provide law enforcement officers with the best available outlines of techniques useful in the repression of prostitution and the discouragement of promiscuity. These suggestions have been based on active police experience and on successful law enforcement operations by sheriffs and police departments throughout the country.

In its first major publication, "Techniques of Law Enforcement Against Prostitution," the Committee set forth methods of proceeding against those persons who knowingly profit from prostitution, and outlined a program for self-policing for those industries which might act as unwilling facilitators. In a subsequent pamphlet, "Techniques of Law Enforcement in the Treatment of Juveniles and the Prevention of Juvenile Delinquency," the Committee published a manual "for the guidance of enforcement officers in dealing with juvenile offenders and in establishing a delinquency prevention bureau within the law enforcement agency." That manual, prepared in consultation with the Children's Bureau, U. S. Department of Labor, was in furtherance of the Committee's decision to concentrate on a three-fold program involving enforcement, cooperation and prevention.

At the present time the Committee is concerned about the conditions under which both adults and juveniles are held in detention in almost every jurisdiction in the United States. It has therefore undertaken, through its Sub-Committee on Detention, to express its attitude on

the entire subject of detention and to present what are believed to be attainable standards of operation in this field.

We have long known that our jails and lockups are antiquated and constitute a major source of scandal in our penological system. Jails have been visited and revisited, condemned and denounced by leading correctional authorities, but very little has been done to better them. Police techniques have been vastly improved, our courts have largely adjusted their practices to the needs of modern society, and our prisons and major correctional institutions have begun to be guided by progressive principles. But many of our jails and lockups are still reminiscent of the dark ages. The few exceptions to the rule are conspicuous by their rarity. Of more than three thousand jails throughout the country, less than 500 have been approved for the detention of male Federal prisoners and a far lesser number for females. The approved jails are, moreover, almost entirely situated in the larger centers of population. Many poor jails have to be utilized because no other facilities are available.

With the advent of the war and the development of extensive campaigns against prostitution on a Nation-wide basis, detention facilities were taxed as they had never been before. Some of them provided fairly adequate quarters for men but had totally inadequate quarters for women offenders. With the construction of camps and stations for the armed forces predominantly in rural areas or close to already over-crowded cities, the camp follower became an acute problem. Law enforcement officers found themselves faced with the necessity of detaining prisoners in jails which were entirely inadequate to the new population. Jails were further crowded

by the detention of diseased men and women who were held for treatment for infectious venereal diseases. To add to the burden, courts were to a large extent discontinuing the unsatisfactory practice of imposing small fines on prostitutes or ordering them out of town under suspended sentences in favor of commitments and jail sentences.

Under these circumstances there has occurred what amounts to a large-scale breakdown in our jail system. Furthermore, law enforcement programs have bogged down because there is no place to incarcerate arrested persons or because police and sheriffs are unwilling to subject any but the most serious offenders to the crowded and insanitary conditions of local jails and lockups. The difficulty of rebuilding our jails on an extensive basis during this period is recognized, but many improvements can be made in the use of the facilities which exist. Principles can be established now for present and further guidance in the detention of both adults and juveniles.

The Committee is in complete accord with the spirit and content of the statement of the International Association of Chiefs of Police and the resolution of the National Sheriffs' Association printed in the appendix. These statements recognize the fact that existing detention facilities are on the whole a disgrace to this country.

Although law enforcement officials are largely responsible for the management of jails and lockups, they are not alone responsible for their creation or maintenance or for many of the conditions which exist in them. From observation at close hand, they know that many persons are harmed rather than benefited by jail experiences. They know, too, that rehabilitation is extremely difficult,

if not entirely impossible, in the circumstances which prevail in many of our jails.

The Committee wishes to call particular attention to the fact that expression from an aroused public to the city and county officials who are responsible for inadequate or antiquated jails and lockups, for poor salaries paid jail attendants, and for niggardly allowances for the feeding of detained persons, will be the main force in obtaining much-needed reforms.

The National Advisory Police Committee is unreservedly in favor of a program which will:

1. Establish minimum, attainable goals for adult and juvenile detention, toward which goals law enforcement officers can and will work.
2. Encourage county and city officials to make such immediate improvements of their detention facilities as are immediately possible.
3. Stimulate law enforcement officers and other public officials to plan for post-war jails, farms and other facilities acceptable to modern standards of penology.
4. Advocate cooperation of judges, county commissioners, city councils, staffs of welfare and probation departments with law enforcement officers, other public officials and interested citizens in planning the establishment of the necessary specialized facilities for the care of persons who are held in jail simply because the needed facilities do not exist elsewhere in the community.

CHAPTER I

STANDARDS FOR THE DETENTION OF ADULTS

CERTAIN MINIMUM STANDARDS capable of immediate attainment are recommended to all who are concerned with the detention of adults. These nine standards are set forth briefly at this point and some are discussed below at greater length:

1. Jails and lockups must be kept clean, sanitary and ventilated.
2. Proper segregation should be a cardinal principle of operation in order that there may be no basis for the accusation that "jails are schools of crime."
3. Persons who have a legal and moral right to be held elsewhere should not be kept in jail.
4. Intelligent and constructive use should be made of prisoners' time in order to eliminate the worst features of enforced idleness.
5. The fee system has outlived its usefulness and now stands as a barrier to the development of modern detention programs. It should be abolished.
6. Available personnel should be trained so as to do their jobs with more satisfaction to themselves and with greater benefit to those under their care.
7. Adequate and wholesome food must be provided.
8. Constant supervision of jails must be provided to prevent the indefensible "kangaroo court," or

the maltreatment of prisoners by their fellow inmates.

9. Medical services should be provided to prevent the existence and spread of contagious diseases.

Sanitation

Unless the physical premises are beyond all hope of decent operation, the average jail or lockup can be kept clean, sanitary, and ventilated. Some additional work may be involved but soap, water and other cleansing agents are generally available and provide the fundamentals of a clean jail program. Simple controls over the conduct of prisoners can assist in keeping the quarters in good condition. The health of persons held should not be endangered by insanitary conditions in the detention quarters.

Segregation

Unless precautionary measures are taken, the period of incarceration may provide inmates the opportunity to learn additional methods of crime and even plan future illegal activities. Intelligent segregation and better supervisory personnel are therefore essential. It should be recognized that at any given time the authorities responsible for the management of a jail or lockup may find it necessary to keep apart any two persons held. Furthermore, perverts and homosexuals are by universal agreement not to be permitted the opportunity of contact while in custody. Good management will be on the alert to recognize such situations and to act as the circumstances indicate.

First offenders and youths whose patterns of criminal behavior are not firmly established should have no opportunity for contact with hardened offenders. The same principle should apply to witnesses and other persons

not held on direct criminal charges, as well as to those held in protective custody or for other special forms of temporary restraint.

All persons admitted to detention should receive routine examinations for communicable or contagious diseases, and medical service should be available to any prisoner who becomes ill while in custody.

Persons who are afflicted with communicable or contagious diseases should be separated from other inmates when they cannot be removed to hospitals or other places where special care is provided.

Women and girls held in detention should be afforded normal privacy and be attended by a matron. Where it is impossible to obtain the services of a matron they should have every protection against molestation by trusties or custodial personnel. The desired goal is that absolute segregation of the sexes by sight and sound be maintained and that boisterous and unseemly conduct be as out of order in jails as it is on the public streets.

Many jails have been built with a large number of cells for men and a small number for women. The character of jail populations has changed greatly during the war; in many instances it has been found possible to diminish over-crowding by the simple expedient of shifting inmates in terms of the cell space available.

Exclusion

Steps should be taken to exclude from jails all persons who have a legal or moral right to be held in other facilities. In this group would be numbered most juveniles, chronic alcoholics, the insane, and most feebleminded persons. Confinement in jail is also largely unnecessary and undesirable for those persons who, regardless of their ability to raise bail pending adjudica-

tion of their cases, are not likely to leave the community, or to get in difficulty, or fail to report to law enforcement or judicial authorities when their presence is required.

Alert and interested law enforcement officers will support public efforts to establish detention facilities for juveniles, adequate institutions for the insane and feebleminded, and modern methods of treatment for chronic alcoholics. They will also take an active interest in all matters which promote speedy investigation and adjudication of cases so that the innocent may be promptly removed from jail and the guilty may begin to serve their sentences.

The Committee particularly deplores the circumstances under which insane persons are detained in county jails and feels strongly that improvement in the jail situation must begin with efforts to keep out of jail these and all other persons who do not properly belong in them.

Occupation

Enforced idleness is one of the most serious problems in jail administration. The theory that idleness is punishment has long since been exploded. It is a pleasure at county expense to the lazy, and a destructive influence on those prisoners who have some initiative and energy. Jail administrators are therefore faced with the responsibility of exploring all possibilities for the use of prisoners' time and of providing opportunities for exercise, recreation and occupation in useful work.

Salaries

The day is rapidly passing when the public can expect aggressive or progressive law enforcement on a fee basis. Fee-pay is being eliminated in one county office after

another over the country, and its abolition for all sheriffs and turnkeys is recommended. In the future, jails and lockups should be operated on a budget basis with adequate salaries for competent personnel. Appropriations should be based not alone on the number of persons jailed but on the quality and importance of the service rendered.

The practice whereby sheriffs and jailers are allowed a "profit" on feeding prisoners as part of their compensation deserves condemnation. Sheriffs should receive compensation in full on a salary basis, and the feeding of persons held in jail should be budgeted to provide simple, substantial and wholesome food. Safeguards should be set up and maintained to insure that such food reaches the prisoners and is equitably distributed.

In the larger jails in progressive communities the problem has for the most part already been solved by centralized purchasing, the establishment of food controls, and the provision of adequate cooking and baking facilities in the jails. It can be successfully handled in any jail if the law enforcement officer is imaginative and alert and is permitted to leave to others the business of catering.

Training

It is obviously the responsibility of law enforcement officers to see to it that proper training is given all custodial personnel not only for the improvement of conditions under which persons are detained but also for the custodians' own safety.

Written material outlining standards of good practice is available, training classes can be organized, and visits to modern jails can offer opportunities for custodians to observe sound management in operation.

As a stimulus to improving facilities in which persons are detained, it is recommended that State Commissions of Correction, or similar bodies, establish standards and give advice and assistance to officers charged with the responsibility of operating adult detention programs.

CHAPTER II

STANDARDS FOR THE DETENTION OF JUVENILES

PRELIMINARY TO A DETAILED statement of principles, it is important to note that police figures from the country at large indicate a constantly larger number of offenders between the ages of 15 and 19 coming to the attention of law enforcement officers. This has meant that an increasing number of juveniles has been detained in jails contrary to widespread State laws. The practical situation has, however, often required that the law enforcement officer charged with the duty of detaining persons arrested for crime make use of whatever facilities were at his disposal.

Although the war has admittedly aggravated many of the situations in our communities which tend to produce delinquency, it may be that the greatest single factor in the rising volume of delinquency has been the neglect of children and of provisions for their care and guidance. A sudden decrease in delinquency at the end of the war is not likely. On the contrary, it is expected that the rate and seriousness of juvenile offenses may continue to increase for some time.

Modern law enforcement is not only concerned with the acute problem of juvenile delinquency today, but with the need of planning for the future. The problem cannot be met without adequate detention facilities. The seriousness of present conditions and the need for improving them have been recognized by the 74th Annual Congress of Correction (1944), International Associa-

tion of Chiefs of Police, and the National Sheriffs' Association, which have passed resolutions condemning present practices and urging separate detention facilities for juveniles (see Appendix).

Facilities by themselves will not solve the problem, but without adequate facilities, consolidated in a comprehensive law enforcement and crime prevention program based upon community responsibility, the problem of juvenile delinquency cannot be solved. This conclusion is based upon voluminous records of adult criminals who received inadequate treatment and improper detention as juveniles. It is further based on the increasing rate of promiscuity reflected in the records of the incidence of venereal disease infections in young boys and girls from 15 to 19 years of age. In addition to providing separate and specialized detention facilities, progressive communities should eliminate such practices as paying fees for arrest and detention and travel allowances in juvenile cases.

Helping youngsters who misbehave is the combined concern of law enforcement officers, judges, probation officers, welfare and health officials and citizens. A sound community program is made up of a well-balanced pattern of family and child guidance centers, foster homes, institutions, case work services to children in their own homes, and temporary detention outside of them.

Detention care is only one link in the chain of community services to children. When undue importance is attached to it, communities are likely to run into difficulty in advocating the expansion of rigid detention facilities. Temporary detention can never be a substitute for adequate child care services. The more expertly the other services function, the less need there will be for catch-all methods of detention. When courts are handling children's cases promptly, when specialized services are available from other agencies, and when there is a stable program for the placement of children in foster homes and institutions, the need for temporary detention decreases markedly.

With a few exceptions, county detention homes have not become satisfactory substitutes for detaining juveniles in jail. Many county detention homes have retained all of the undesirable features of jails, with enforced idleness, indiscriminate mixing of sexes, ample opportunities for non-problem children to learn undesirable practices from serious offenders, brutal treatment of defenseless children by older juveniles or perverts, and bizarre forms of punishment by untrained employees. Many detention homes have become catch-alls where homeless and neglected children are thrown together with seriously delinquent juveniles, and where feeble-minded and mentally sick children are kept with children committed for long-time punishment. Detention homes also have been used as places where a child can be left indefinitely, solely because judges, probation officers or welfare workers have failed to provide disposition suited to his needs.

Keep Children Out of Jail

As a general rule, juveniles should not be held in jails or lockups established primarily for adults. This is true whether or not juveniles can legally be detained under certain circumstances.

A few juveniles may require detention care in jail because of extremely unruly behavior, unshakeable determination to run away, or self-protection, in unusual situations. Such children are *few*, and the decision for jail detention should ordinarily be made by an institution superintendent, a court, or its authorized representatives.

Where circumstances require that children be detained in jail, they should be segregated from the adult jail population.

Keep at a Minimum the Number of Children Detained

There is every reason to believe that many children are at present held in custody unnecessarily. To make a decision as to what to do with a child may require work, initiative and imagination, but no child should be held in custody simply for the convenience of the authorities. No child should be detained merely because he comes from a "bad home." What must be decided is that, even though the home is bad, it may be worse to subject the child to detention care. No juvenile should be held in custody pending court hearing unless:

(a) The parent or guardian is definitely unable or unwilling to produce the child in court on proper notice, or

(b) There is good reason to believe that pending court hearing the juvenile will be unable to avoid, or the parent or guardian unable to prevent, repetition of behavior which is harmful to the child and the community, or

(c) There is substantial evidence that the child is in immediate need of special services or treatment which can best be given in a controlled environment.

Keep the Period of Detention at a Minimum

Detention is at best an artificial form of life for a child who is in a state of suspension between the life he has been living and the uncertainty of where he is going to live next. Obviously, comfortable quarters, adequate food, games, recreation, school, and sympathetic adult attitudes during detention will alleviate somewhat the child's anxiety; but detention can never approach anything like normal living, and it must in every case be as brief as possible, even though brevity may necessitate emergency action on the part of all authorities concerned.

Keep Detention Separate From Other Services

As a general rule, juveniles who are awaiting court hearing or who exhibit serious behavior problems should be kept apart from those children who require related types of care, such as:

(a) Emergency care for homeless and dependent children

(b) Study home programs

(c) Short-term institutional care

(d) Temporary housing for children held as witnesses.

Children with behavior problems are likely to be more anxious and more difficult during detention than others. The homeless child who does not present behavior problems likewise experiences anxiety during a period of emergency care pending decision as to placement, and he is most susceptible to becoming delinquent. If such children are thrown together during emergency care, those who are in charge of them cannot escape the responsibility for having contributed to delinquency. The welfare of both groups of children demands separate facilities. It is not enough in most instances that separate facilities in the same building be provided. Homeless children have the right to be spared the stigma which, until society gains a more sympathetic understanding of delinquency, adheres to even the best facilities for the care of delinquents.

A detention facility is not a study home, and should not exist in combination with one. Study homes have been created in some communities to house children who are under observation by psychiatrists, psychologists and social workers; but it is conceded that these homes should house only those children who, because of unusual behavior, mental illness or home conditions, cannot be studied in their respective natural environments. The study home is organized for scientific observation of children's problems. In the detention facility, emphasis should be on speedy disposition of the cases of children with behavior problems.

The detention facility should not be a juvenile jail nor a commitment institution. This is not just an academic distinction. Some well-meaning attempts to remove children from adult jails have resulted in large juvenile jails which duplicated and exceeded the objectionable conditions they were supposed to supplant.

The practice of some courts in remanding children to detention after court hearing frequently results in long periods of detention during which little is done to solve the ultimate problems of the child. It seems obvious that good pre-court investigation and preparation of cases would go a long way towards eliminating judicial indecision at the time of the hearing.

Segregate and Classify

The fact that it is difficult during detention to keep undesirable new contacts under satisfactory control only emphasizes the necessity for careful analysis and classification of children in terms of their problems and of the services available to meet them.

The desirable goal is that no child meet another child during detention if by such contact either is influenced

in the direction of new and aggravated forms of undesirable behavior. This objective requires maximum use of individualized foster homes, small receiving homes, and, in the case of congregate care, scientific and well-managed classification.

All children detained should be given complete physical examinations on admission to detention to guard against the transmission of contagious and communicable diseases. Medical service should also be available to treat children who may become ill while detained.

CHAPTER III

A COMMUNITY PROGRAM

IT IS OBVIOUSLY impossible to outline a detention program which would fit the varying needs of diverse communities throughout the country. There are presented here, however, the essentials of a community detention program, parts of which seem applicable to almost any local situation. The general plan may be adapted to the particular needs of a given community.

Individual differences among children are almost countless in their variety. This fact immediately indicates the necessity for providing a series of small, separated units of various kinds for treatment in detention. The units may be either a number of separate homes, a place for congregate detention with separable areas, or a combination of the two. Much will depend on the number of children requiring detention at any particular time.

Foster Boarding Homes

Experience in many sections of the country has shown that foster boarding homes are adaptable to detention care. They must, however, be carefully selected, properly subsidized, and used with particular reference to the habits, temperament and background of the child to be detained. Operated on this basis they constitute a valid, relatively inexpensive and defensible form of detention. In addition, a small detention home or receiving institution of limited capacity may be required in some communities to handle those children who would be poor

risks in a temporary foster home which obviously is not suited to children who need strong forms of restraint. Success in the treatment of any child in a foster home cannot be expected unless the foster parents are sympathetic and understanding in the handling of children.

In some instances it may be possible to obtain temporary shelter care for children in the homes of relatives when it is necessary for them to be removed from their own homes. In such cases temporary care can be provided at little, if any, cost to the community.

Some criticism of foster homes has been occasioned by the fact that attempts have been made to use them for children who logically belong in institutions. This was one of the consequences of the well-meaning but poorly thought-out policy of sending children to institutions "only as a last resort." Institutional services should be utilized for those who can profit from them.

An additional source of disappointment in the use of foster homes has been the failure of some communities to allot sufficient funds for the care of children placed in them. A good foster home cannot be obtained for the same amount of money which would permit the feeding of a child in jail. Foster parents are community servants and should be adequately compensated for the services they render the public.

Law enforcement officers, in the discharge of their official duties, will be helped or hampered by the kind of detention care their communities provide. They should be alert to indicate their interest in standards to the community officials responsible for the selection of foster homes. Children will cease to be detained in jail only as rapidly as other satisfactory means of detention are provided.

Study Homes

Study homes are for the most part to be found only in the more highly organized communities which have developed extensive programs in all phases of child care. As pointed out previously, they are primarily useful in keeping children under expert observation when they cannot be satisfactorily studied in their own homes. Generally, study homes serve as "reassignment stations" pending changes in the form of treatment prescribed for the individual child.

Selection of study homes is governed by practically the same standards which apply to the selection of good foster homes. Communities in planning their programs should remember that good care cannot be obtained for the cost of the child's maintenance alone. Some remuneration is due for the convenience of having the home available to receive children at all times.

Receiving Homes

To supplement temporary foster home care, which in the individual home may be supplied to a maximum of six children under satisfactory conditions, a small detention and receiving home or institution may be needed in the community. This home should be designed for the care of those children for whom foster home care is suitable, and for extremely short periods of detention in those cases in which transfer to a foster home is not immediately possible. The primary function of a receiving home is to provide care, food and shelter temporarily and on an emergency basis to children who need these services. It may also be used for children who need stronger forms of restraint than foster homes afford, where separation of these children from others is essential. Speedy dis-

position of their cases and the prompt formulation of plans for their long-term care are necessary.

Congregate Care

In some areas the large number of children detained may make it necessary to establish an institutional type of detention center. Such centers are the most difficult type of detention service to operate and they require skilled management of the highest order. Unfortunate experiences in a number of communities have indicated that under faulty management congregate care may deteriorate to a point where it is actually harmful to the children detained. Riots, intra-mural gang activities and other situations typical of poor jail operation have been known to occur in these institutions for juveniles.

Of paramount importance in a center for congregate detention is an effective program of classification which will operate to protect individual children and assign each child to activities by which he may benefit. Personnel is of tremendous significance in shaping the program of the center and in providing stimulating leadership and understanding to the juveniles detained. Only persons with recognized skills and experience should be employed in such an enterprise. They must be adequately paid if they are to be attracted to the service at all.

Health services, recreation, schooling, and practically all of the other services normally provided in an institution for long-term care of juveniles must be established in the congregate detention home if it is to function satisfactorily. It is obviously a complex institution and one that must be geared to achieve its purposes within the limits of the short terms for which children are detained. If it becomes an institution for long-term care of children whose problems are not solved by other services and agencies, it ceases to be a detention home and becomes in fact a jail or custodial institution.

Detention—A Unit of Community Services

Whatever pattern of detention service may fit the needs of the individual community, it is of the utmost importance that it be closely integrated with the other services to children offered by the community. Law enforcement officers, the courts, and social workers who deal with children must all recognize that detention is only one step in the solution of the child's problems. Detention is only a preliminary to the use of other and more constructive services which may have a long-time influence on the child's life. As soon as the decision to use detention is made, or circumstances require it, the responsible authorities should begin planning the next steps. The community must then find in its other social resources the means of directing the child to a useful and socially acceptable life.

APPENDIX

THE NATIONAL SHERIFFS' ASSOCIATION at its 1943 conference in Washington, D. C., expressed the views of its members in the following resolution on the need for separate detention facilities for juvenile delinquents:

WHEREAS, the National Sheriffs' Association recognizes juvenile delinquency not as a new problem suddenly war-born, but as an ever-pressing problem facing every law enforcement official and every local community, which has been apparently aggravated as a result of war, and

WHEREAS, much publicity condemning the teen-age group as a group is false publicity because present juvenile delinquency problems are the result of the waywardness of a very small percentage of this group which is not representative of the wholesome behavior of the whole teen-age group, and

WHEREAS, the early treatment, method of detention, and means of prevention are determining influences in charting the future behavior course of the youthful offender, and

WHEREAS, it is the considered opinion of this conference that thousands of early offenders are unnecessarily detained each year in county jails while awaiting hearing or treatment, and

WHEREAS, we believe that with the exception of a small percentage of the more serious offenders, the average child to be detained would be better served by temporary placement in separate detention facilities rather than in the county jail where common criminals are housed, and

WHEREAS, this view is expressly confirmed by the juvenile laws of all States which prohibit incarceration of juveniles in jails shared by adults (except in rare circumstances) and

WHEREAS, the average sheriff is custodian of the county jail and has the right to reject commitments unless made under order of court, therefore

BE IT RESOLVED, that the National Sheriffs' Association, through an informative program, acquaint the Nation's sheriffs in the matter of juvenile detention, and urge every sheriff to advocate the use of separate detention facilities for juvenile delinquents.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to every sheriff in the United States, the Children's Bureau of the U. S. Department of Labor, and to all other public and private agencies operating for the protection of the American boy and girl.

The International Association of Chiefs of Police, in the 1944 post-war planning report of the association, incorporated the following significant statement:

> Severe criticism is often leveled at departments because of unsatisfactory conditions of jails and cells where prisoners are kept. Police chiefs cannot be held responsible for this situation, and should demand modern, well-equipped station houses and places of detention when planning for new police buildings.

The 74th Annual Congress of Correction (1944) passed the following resolution condemning the detention or commitment of children in jails, recommending the abolition of laws which countenance such practices, and substituting therefor the placement of children in foster homes, children's shelters and other progressive types of correctional institutions:

> WHEREAS, it has been the practice in most States to detain temporarily and commit for longer terms children

> of tender years who have been charged or adjudicated delinquent or neglected, in prisons, jails, lockups, and other penal institutions, and
>
> WHEREAS, it is plainly contrary to the accepted principle of modern rehabilitative policy to expose children, however temporarily, to the harmful and degrading experience of such incarceration,
>
> NOW THEREFORE BE IT RESOLVED, that the 74th Annual Congress of Correction record its condemnation of the practice of detention or commitment of *children* in any *prison, jail, lockup* or other penal institution, and further recommend the abolition of all laws and procedures which countenance these practices, substituting therefor the placement of children in a suitable environment under the care of persons properly equipped to care for them, such as foster homes, children's shelters, and other progressive types of correctional institutions.

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